

Appeal: 14-6026 Doc: 25 Filed: 09/24/2014 Pg: 1 of 2

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6026**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

THEODORE THOMAS WAGNER,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, Senior District Judge. (2:02-cr-00181-PMD-1)

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Submitted: June 19, 2014

Decided: September 24, 2014

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Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Theodore Thomas Wagner, Appellant Pro Se. Michael Rhett DeHart, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

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PER CURIAM:

Theodore Thomas Wagner appeals the district court's orders directing him to report to the Bureau of Prisons for a psychiatric evaluation and denying his petitions for reconsideration. Wagner is no longer in the custody of the Bureau of Prisons. Therefore, we dismiss his appeal as moot. Cf. ADAPT of Philadelphia v. Philadelphia Hous. Auth., 417 F.3d 390, 393 (3d Cir. 2005) (compliance with an order generally renders appeal of the order moot if appellant has suffered no prejudice that can be remedied on appeal). Wagner's motion for a transcript at Government expense, supplemental motion for a transcript at Government expense, and motion to add new evidence are denied. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED